

## **MINUTES**

### **HOLLISTER PLANNING COMMISSION**

**June 29, 2006**

Chairman Friend called the meeting to order at 6:00 p.m.

**VERIFICATION OF AGENDA POSTING:** The meeting agenda was posted at City Hall on Friday, June 23, 2006 at 4:30 p.m. per Government Code Section 65954.2(a).

#### **PLEDGE OF ALLEGIANCE**

**ROLL CALL:** Present: Chairman Friend, Commissioners Atencio, Alvarez, Huboi and Scott

Absent: None

Staff Present: William Avera, Mary Paxton, Maria DeLeon, David Rubcic, Abraham Prado and Elaine Cass

**APPROVAL OF MINUTES:** May 25, 2006

<p><b><u>ACTION:</u></b> Commissioner Huboi made a motion to approve the minutes of May 25, 2006 as presented. Commissioner Scott seconded. Motion carried 5-0-0.</p>
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**COMMUNICATIONS FROM THE PUBLIC:** None

**CONSENT CALENDAR:** No items

**OLD BUSINESS:** None

#### **PUBLIC HEARINGS:**

##### **1. Amendment of the Residential Care Homes and Day Care Centers Policy.**

Chairman Friend opened the public hearing at 6:25 pm.

Persons giving testimony for the public hearing are as follows:

Vicky Grimmett, 1220 Sequoia Court, Hollister, Ca., 95023  
Lynette Jewett, 2051 Calistoga Drive, Hollister, Ca., 95023

Having no one else present wishing to comment Chairman Friend closed the public hearing at 6:50 pm.

**ACTION:** Commissioner Scott made a motion to approve the proposed policy Section 17.46.040 with the following added condition regarding notification of property owners within 100 feet be notified of the request. Commissioner Atencio seconded. Motion carried 4-1-0.

**2. Conditional Use Permit No. 2006-5 - 847 Industrial Drive – Beatrice Soto/Galaxy Promotions.** Application for a conditional use permit to provide indoor facility to support cheerleading, dance activities and host private events in an existing industrial building. The property is located in a M-1-S (Light Industrial) Zoning District. (APN56-27-23) (Categorical Exemption)

Chairman Friend opened the public hearing at 6:57 pm.

Having no one present wishing to address the Commission Chairman Friend closed the public hearing at 6:58 pm.

**ACTION:** Commissioner Huboi made a motion to approve Resolution No. PC2006-18 approving Conditional Use Permit No. 2006-5 with the following added conditions to read: 12) The applicant shall maintain and not exceed the standard hours of operation of Monday-Friday 3:00 pm to 9:00 pm and occasionally on Saturdays from 9 a.m. until 10: p.m.; and 13) The sale of alcohol or alcoholic type beverages is prohibited on the premises. Commissioner Atencio seconded. Motion carried unanimously 5-0-0.

**3. Site and Architectural Review No. 2006-8 – McCray Street – Scagliotti -** Application for a site and architectural to construct a 4,000 square foot commercial building. The property is located on McCray Street in a C-1-S (Neighborhood Commercial) Zoning District. (APN54-34-13) (Addendum to Mitigated Negative Declaration Adopted for S&A2005-18/Kentucky Fried Chicken).

**4. Site and Architectural Review No. 2006-9 – McCray Street – Scagliotti -** Application for a site and architectural to construct a 5,500 square foot commercial building. The property is located on McCray Street in a C-1-S (Neighborhood Commercial) Zoning District. (APN54-34-12) (Addendum to Mitigated Negative Declaration Adopted for S&A2005-18/Kentucky Fried Chicken).

**5. Site and Architectural Review No. 2006-10 – McCray Street – Scagliotti -** Application for a site and architectural to construct a 15,840 square foot commercial building. The property is located on McCray Street in a C-1-S (Neighborhood Commercial) Zoning District. (APN54-34-11) (Addendum to Mitigated Negative Declaration Adopted for S&A2005-18/Kentucky Fried Chicken).

Chairman Friend opened the public hearing at 7:13 p.m.

Persons given testimony for the public hearing are as follows:

Barbara Nicoara, P. O. Box 1096, Hollister, Ca., 95023  
Ann Hall, San Benito Engineering, 502 Monterey Street, Hollister, Ca., 95023

Having no one else present wishing to comment, Chairman Friend closed the public hearing at 7:27 p.m.

**ACTION:** Commissioner Huboi made a motion to adopt Resolution No. PC2006-19, PC2006-20 and PC2006-21 approving Site and Architectural Review Nos. 2006-8, 2006-9 and 2006-10 with the amendment of Condition No. 9 to read “All project landscaping shall conform to the Landscape Plan Sheets L1-L3 dated June 9, 2006 with the exception of changes required by Condition 17. Any changes or modifications shall require Planning Division administrative approval; and the addition of Condition No. 17 to read “Prior to issuance of a building permit, the following revisions shall be made to Sheets C2 through C-5 dated June 16, 2006, and Sheets A1.0, A2.2, A3.2 and L-1 received on April 12, 2006 and Sheets L-1 through L-3 dated June 9, 2006 C2, C3, C4, L1 and L2 of the plans and shall be subject to review and approval of the Planning Division: An east-west pedestrian path through the parking lot that will provide an isolated pedestrian connection between Building “D” and the walkway on the east side of Building “F” (Kentucky Fried Chicken). The pedestrian path shall be at least four feet wide. The revised landscape plan shall include landscaping on the borders of the pedestrian paths required between Buildings “D” and “F” and the proposed walkway shown on the site plan between Buildings “E” and “D. The revised landscape plan shall include shade trees (15 gallon) to provide shade for pedestrians. The plant species shall be similar to the mix included on sheet L-2 date June 9, 2006. Provision for two benches in front of the building for customer seating; and Condition No. 18 to read, “Any graffiti placed on the building, signs and trash enclosure shall be removed within 48 hours”. Commissioner Atencio seconded. Motion carried 5-0-0.

**6. Site and Architectural No. 2006-15 – 301 Gateway Drive – AVA Global Enterprise/Conoco 76.**

Chairman Friend opened the public hearing at 7:40 p.m.

Persons giving testimony for the public hearing are as follows:

Mardeen Gordon, Sign Development, P. O. Box 1507, Felton, Ca., 95018

Having no one else present wishing to comment Chairman Friend closed the public hearing at 7:45 p.m.

**ACTION:** Commissioner Atencio made a motion to adopt Resolution No. PC2006-22 approving Site and Architectural Review No. 2006-15. Commissioner Scott seconded. Motion carried 5-0-0.

**NEW BUSINESS:** None

**PLANNING DEPARTMENT REPORTS:**

1. **Notice of Availability for Mitigated Negative Declaration Regarding Holding Tank Policy.** Staff noted that they had released a proposed Mitigated Negative Declaration to adopt standards for interim holding tanks for the process that was approved by the City Council. Staff noted that when the Council approved the policy it included criteria that needed to be met. Staff stated that they are circulating the draft environmental document to adopt standards to streamline the review process when projects are submitted. Chairman Friend commented that he thought it didn't comply with the State's Cease and Desist Order. Commissioner Huboi respectfully disagreed.

2. **Update of Proposed Zoning Ordinance.** Staff noted that the draft document should be submitted to the City by the consultant by the end of July.

**CITY ATTORNEY REPORTS:** None

**PLANNING COMMISSION REPORTS:**

1. Commissioner Atencio announced that he would be withdrawing his candidacy for another term on the Planning Commission. Mr. Atencio stated that the two terms that he has served was a great experience for him and he will be going away a more knowledgeable person. Mr. Atencio stated that he looked forward to possibly serving in another capacity.

2. Commissioner Huboi stated that on June 15<sup>th</sup> he attended a forum on green energy sponsored by AMBAG and he gave an overview of the forum. Mr. Huboi stated that he thought Commissioner Atencio was one of the nicest guys he had ever had the pleasure of working with and that he hoped they would work together in the future.

3. Commissioner Scott stated to Commissioner Atencio and it was a pleasure working with him and that he also hoped he would work with him in the future. Commissioner Scott asked questions about the zoning clearance process for the upcoming Fourth of July weekend. Elaine

Cass, City Attorney, stated that staff could answer the question but that the Commission could not engage in discussion, as it was not an agenda item. Mr. William Avera, Secretary, responded that because of the non-event this year the City would be handling the processing of these requests instead of the Hollister Independence Rally Committee. Mr. Avera explained the zoning clearance process.

5. Chairman Friend wished everyone a safe and sane Fourth of July and he cautioned attendees to the non-event to be in compliance. Chairman Friend also commented that it was a pleasure to have worked with Commissioner Atencio.

**ADJOURNMENT:**

<p><b>ACTION:</b> Commissioner Huboi made a motion to adjourn the meeting at 8:05 p.m. Commissioner Alvarez. Motion carried 5-0-0.</p>
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Chairman of the Planning Commission  
of the City of Hollister

ATTEST:

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William B. Avera, Secretary